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Federal Communications Commission
Office of Secretary
Cincinnati Bell
Wireless

201 E. Fifth St.
P.O. Box 2307
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Jack Cassidy
President

January 2, 1998

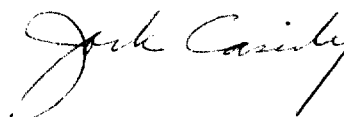
Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street NW
Washington, D. C. 20554

In the Matter of:)
)
Interconnection and Resale Obligations Pertaining)
To Local Exchange Carrier Provision of) CC Docket No. 94-54
Commercial Mobile Radio Services)
)
Additional Comment on Automatic Roaming)
Proposals for Cellular, Broadband PCS, and) DA 97-2558
Covered SMR Networks)

Dear Ms. Salas:

Enclosed are an original and four copies plus two additional public copies of the Comments of Cincinnati Bell Wireless in the above referenced proceedings. A duplicate original copy of this letter is enclosed; please date stamp this copy as acknowledgment of its receipt and return it. Questions regarding this filing may be directed to Theodore R. Stoner at the above address or by telephone on (513) 397-5421.

Sincerely,



Jack Cassidy

Enclosures

cc: International Transcription Services, Inc.
Janice M. Jamison, Policy & Rules Branch,
Commercial Wireless Division (paper copy and diskette)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

In the Matter of)	
)	
Interconnection and Resale Obligations)	CC Docket No. 94-54
Pertaining to Commercial Mobile)	(DA 97-2558)
Radio Services)	

COMMENTS OF CINCINNATI BELL WIRELESS COMPANY

Cincinnati Bell Wireless Company ("Cincinnati Bell") submits these comments in response to the Commission's December 5, 1997 Public Notice (DA 97-2558) in this proceeding.¹ The Public Notice seeks additional comment on whether the Commission should adopt an automatic roaming rule. For the reasons discussed herein, Cincinnati Bell submits that requiring CMRS providers to enter into automatic roaming agreements on a nondiscriminatory basis would serve the public interest by enhancing the overall competitiveness of the wireless industry. Accordingly, Cincinnati Bell supports the adoption of an automatic roaming rule and urges the Commission to proceed with implementation as quickly as possible.

¹ Commission Seeks Additional Comment On Automatic Roaming Proposals For Cellular, Broadband PCS, And Covered SMR Networks, CC Docket No. 94-54, Public Notice, DA 97-2558, released December 5, 1997.

I. Introduction

The Commission released its Third Notice of Proposed Rulemaking ("NPRM") in this proceeding on August 15, 1996.² Comments and reply comments in response to the NPRM were filed on October 4, 1996 and November 22, 1996 respectively. Since Cincinnati Bell was not eligible to participate in the auction of the A and B block PCS licenses, Cincinnati Bell was not a PCS licensee at the time these comments were due and, thus, did not participate in the above-referenced comment cycle. Subsequently, Cincinnati Bell did participate in the auction of the D and E block PCS licenses. In that auction, Cincinnati Bell submitted the winning bid for the E block license covering the Cincinnati BTA. Now that Cincinnati Bell has secured a PCS license, it is in the process of formulating plans to enter the market for wireless services. As a new entrant in this market, Cincinnati Bell has substantial stake in the outcome of this proceeding.

Before addressing the specific issues raised in the Commission's December 5, 1997 Public Notice, Cincinnati Bell believes a brief statement summarizing its position relative to the need for Commission action would help put its comments in proper context. Accordingly, Section II of these comments provides a brief overview of Cincinnati Bell's position relative to automatic roaming. In Section III, Cincinnati Bell addresses the specific issues upon which the Commission has requested further comment.

II. Cincinnati Bell's Position Relative to Automatic Roaming

Cincinnati Bell believes there is an immediate need for Commission action relative to the issue of automatic roaming. Specifically, Cincinnati Bell supports the

adoption of a rule requiring CMRS providers to enter into automatic roaming arrangements with other carriers on a nondiscriminatory basis. Moreover, Cincinnati Bell submits that there should be no exception to this general requirement for so-called "in-market roaming" arrangements. The following is a brief summary of reasons supporting Cincinnati Bell's position.

Automatic roaming arrangements are currently needed by PCS providers in order to provide competitive service. The ubiquitous availability of cellular service has created a minimum service expectation that must be matched by the new PCS entrants. Although not all customers make extensive use of roaming, the utility of cellular or PCS service is greatly diminished without this option. In addition, customer expectations of safety and convenience are met with the wide area coverage and general availability of service provided by automatic roaming capabilities.

PCS operators have competitive coverage disadvantages vis-a-vis their incumbent cellular competitors. PCS operators must offer service over larger BTA and MTA service areas. This problem is exacerbated by the propagation characteristics of PCS spectrum, which require significantly higher cell site counts and capital investment when compared with incumbent cellular operations. Current market conditions do not allow PCS operators to fund the complete build out of their networks.

Given these competitive disadvantages, incumbent operators have strong anticompetitive incentives to deny roaming services to new entrants. This is particularly true of new entrants without large national affiliations. There is little economic incentive

² In the Matter of Interconnection and Resale Obligations Pertaining to Commercial Mobile Radio Services, CC Docket No. 94-54, Second Report and Order and Third Notice of Proposed Rulemaking,

for incumbents to enter into automatic roaming agreements with smaller PCS operators who offer service in only a few markets and will generate low call volumes at start-up. The Commission must not allow the incumbent operators to exploit these coverage limitations by refusing to enter into automatic roaming arrangements. Such conduct would essentially freeze new PCS operators out of the market, thereby creating a key barrier to the development of competition.

New entrants really have no other reasonable alternatives if the incumbent carriers refuse to enter into automatic roaming arrangements with them. Many roaming agreements preclude the ability to gain service through a third party (i.e., through a so-called "piggy back arrangement"). Additionally, there is no more incentive for a third party to facilitate a piggyback arrangement than for the incumbent operator to negotiate an automatic roaming agreement directly with the PCS carrier.

Finally, Cincinnati Bell does not believe an exception should be created for so-called "in-market roaming" arrangements. The availability of in-market roaming is just as necessary for the rapid acceptance and broad deployment of PCS services. In-market roaming capability is not a substitute for building out a network. To the contrary, it is necessary to meet minimum level of customer acceptance that justifies accelerated network deployments. PCS operators must get to market and generate revenue in order to fund the extensive networks envisioned by PCS customers. Accelerating buildout plans is driven by early revenue generation. The availability of automatic roaming and in-market roaming are both critical components in fostering competition and accelerating the availability of PCS to consumers. Extensive buildouts are required in order to deliver

advanced features to PCS subscribers. In-market roaming must often be subsidized by the PCS operator and is not a sustainable long-term substitute for building out a network. These factors preclude the possibility of a PCS operator avoiding a buildout by utilizing in-market roaming capabilities.

III. Issues Raised in the Public Notice

A. The ability of new CMRS entrants to provide automatic roaming.

As new CMRS providers have entered the market, primary coverage and roaming coverage have become key advantages for incumbent providers. Not having the advantage of a protected duopoly market and a lengthy time frame in which to build extensive networks, PCS entrants have had to rely on roaming to achieve some level of parity with existing providers. PCS entrants and manufactures have invested heavily in developing the technologies and capabilities to provide seamless service to roaming customers. As a new entrant, Cincinnati Bell sees that many of the requirements to provide seamless automatic roaming are now available. Dual band, dual and tri-mode phones are now available. Signaling networks and technologies have advanced to the point where cross-system and cross-technology hand-offs have been demonstrated. With this in mind Cincinnati Bell submits that many new CMRS entrants have the necessary technology to provide automatic roaming services to their customers. This, however, provides no guarantee that incumbent operators will allow such services to be offered to a new entrant's subscribers.

B. The extent to which CMRS providers have entered into roaming agreements.

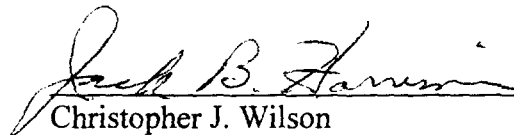
Cincinnati Bell is just entering the discussion stages with incumbent operators for roaming services. It is Cincinnati Bell's belief that using piggyback arrangements as suggested by other commentators will not be a viable means of securing roaming arrangements. Often roaming agreements are written to preclude such 3rd party piggyback arrangements. To date initial attempts to secure in market roaming via 3rd party arrangements have proved unsuccessful. At this time Cincinnati Bell sees no indication that further efforts along these lines will be more successful.

C. Other recent developments affecting technical feasibility or costs.

Technological advancements continue to lower the administrative burden and costs associated with roaming services. Steady improvements in signaling technology now allow systems based on different standards to interoperate. Roaming across networks using different air interfaces and operating in different frequency bands is generally available. Cincinnati Bell submits that the additional costs of providing roaming service to new entrants is borne by new entrants and their subscribers and that any additional costs to the incumbent providers are offset by roaming revenues. Cincinnati Bell supports the position that the burden of developing and implementing the necessary technologies to permit roaming lies with the party seeking the agreement, exclusive of the costs associated with adding traffic capacity to a serving carrier's system.

The costs of added traffic capacity are variable in nature and should be directly funded with roaming revenues.

Respectfully submitted,



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Dated: January 5, 1998

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that copies of the foregoing comments of Cincinnati Bell Wireless have been sent by first class United States Mail, postage prepaid, or by hand delivery on January 5, 1998, to the persons listed on the attached service list.


Judy Piepmeier

Magalie Roman Salas, Secretary *

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